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Technical assistance and capacity-building

Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guinea*

Summary

In the present report, submitted pursuant to Human Rights Council resolution 25/35 of 14 June 2014, the United Nations High Commissioner for Human Rights describes the human rights situation in Guinea in 2014 and makes recommendations to address diverse human rights problems. The High Commissioner also provides information on the activities of the country office of the High Commissioner for Human Rights in Guinea.

During 2014, action by the Government was dominated by efforts to control the Ebola virus. The case fatality rate, the measures adopted by the authorities to tackle the virus and the decisions by some neighbouring countries to close their borders affected the exercise of fundamental rights such as freedom of movement, the right to education, the right to health and the right to work.

The Government continued its efforts to consolidate national institutions. Reform of the judicial system continued, and was marked by the establishment of the Supreme Council of Justice and the implementation of the special status for magistrates to ensure their independence and significantly improve their salary.

However, progress in combating impunity among members of the defence and security forces has been very limited. Moreover, prison overcrowding is still a major problem, in particular because of the almost systematic use of pretrial detention. Nor has there been any progress in efforts to combat violence against women and girls, and female genital mutilation is still practiced.

* Late submission

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Guinea is readying itself for a Presidential election in 2015 in an extremely difficult socioeconomic and health situation. In such complex circumstances, it is essential to foster and ensure the dialogue and to prevent instability and all forms of violence.

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I. Introduction

1. In the present report, submitted pursuant to Human Rights Council resolution 25/35 of 28 March 2014 the United Nations High Commissioner for Human Rights assesses the human rights situation in Guinea in 2014. He also provides information on the activities of the country office of the High Commissioner for Human Rights in Guinea and makes a number of recommendations to the Government and the international community.

II. Main political, security, social and economic developments

2. In January 2014, the new National Assembly was formed following the parliamentary elections of September 2013. Guinea is currently preparing for its 2015 presidential elections at a time of severe difficulties in the economic, health and social spheres. The pace of the dialogue between the Government and the opposition is slow. The opposition parties have presented a list of demands, which includes the restructuring of the Independent National Electoral Commission and annulment of the legislation it had put in place, the recruitment of a new technical operator and the resumption of the 2014 general population and housing census.

3. In view of this tense situation, it is essential to both encourage and ensure political dialogue as the controversy over the electoral system could fuel inter-ethnic violence. It is vital that the presidential elections be held in a peaceful and transparent manner.

4. In early 2014, an epidemic of Ebola virus broke out in Guinea and quickly spread to other West African countries. To deal with the spread of the virus, the Government established an institutional and operational framework for disease control and adopted a national response programme. It also set up an interministerial committee, a national coordination committee and district-level technical coordination committees in the areas affected by the outbreak. These measures were accompanied by awareness-raising campaigns in the areas concerned, including in rural districts.

5. Nevertheless, the Ebola virus continued to spread rapidly, ultimately affecting all areas of the country. Both the outbreak and the restrictive measures taken to prevent it from spreading — including border closures by neighbouring countries — have caused a substantial reduction in State revenue as well as the loss of jobs and income for many people. Growth forecasts for 2014 have been revised downwards from 4.6 per cent to 2.3 per cent and, as a result, the Government has been forced to make substantial cuts to basic social services budgets.

6. During 2014, Guinea also experienced social unrest and violence, including lynchings. With regard to social protests, the main demands related to better living conditions and improvements to basic social services. There were occasional demonstrations by women and young people in the suburbs of Conakry between February and August 2014, with protesters demanding water, power supplies and improved sanitation in their neighbourhoods. The demonstrations were marred by the deaths of two people – a civilian and a trainee gendarme.

III. Situation of human rights

7. The Government took steps in 2014 to ensure greater promotion and protection of human rights. The Ministry of Justice continued its reform of the judicial system with the establishment of the Supreme Council of Justice and a commission on criminal law reform;

in addition, the decree giving effect to the special status of judges came into force (see A/HRC/25/44 and Corr.1, para. 57). Nevertheless, the recurrence of violence is of concern, especially where it relates to localized demands or combating the Ebola virus. Cases of arbitrary arrest, illegal detention and ill-treatment persist. Furthermore, the mob lynchings reported in Haute Guinée and Guinée Forestière, as well as continued impunity for perpetrators of certain types of human rights violations, expose the inherent weaknesses in the judicial system.

A. The impact of the Ebola virus on social and economic rights

1. Right to health

8. The right to the enjoyment of the highest attainable standard of physical and mental health is recognized under article 12 of the International Covenant on Economic, Social and Cultural Rights. It is further guaranteed under article 15 of the Guinean Constitution. With support from technical and financial partners, treatment and transit centres offering free health care have been set up in Guinée Forestière and in the capital city. The international community — including the United Nations, the European Union, the African Union, the Economic Community of West African States (ECOWAS) and a number of individual States — has made every effort to provide Guinea with substantial support in order to help combat the virus.

9. Despite these efforts, the virus was able to spread quickly due to a lack of awareness about Ebola, the delay in establishing a communication strategy, weaknesses in the health-care system and hostility towards officials raising awareness about the virus in local communities. By mid-December 2014, more than 2,000 people in Guinea had been infected with Ebola and more than 1,000 people had died.

10. In October 2014, during its consideration of the report of Guinea (CEDAW/C/GIN/7-8), the Committee on the Elimination of Discrimination against Women encouraged the Government to seek support from the international community to address the imbalances in the health-care system caused by the outbreak, overcome budgetary issues and establish adequate health-care infrastructures. The Committee expressed concern about the impact of the outbreak on the lives and health of women, who are often the first victims of the virus. Furthermore, the Committee recommended that Guinea make provision for gender issues in its Ebola prevention and control programme, in consideration of women's unequal access to health care (CEDAW/C/GIN/CO/7-8).

2. Right to education

11. Fearing an escalation of the rate of infection in schools and universities, and with the school year due to start at the beginning of October, on 4 September 2014 the Government postponed the start of the school year indefinitely. On 19 January 2015, the Government determined that classes could resume, albeit on a temporary basis.

3. Right to food

12. The right to food is guaranteed under article 11 of the International Covenant on Economic, Social and Cultural Rights. The Government has made continual efforts to improve the diet of the population, and a policy to boost agricultural and rice production was launched in 2011. Farming has been heavily subsidized, with the Government importing agricultural inputs and machinery in order to promote greater food self-sufficiency for the country as a whole. Agriculture is the main source of income for close to 80 per cent of the population.

13. To contain the spread of the Ebola virus, the Government has taken steps to restrict population movement and closed a number of local markets. Following the state of emergency declared by the Government, in September 2014 the local authorities in Guéckédou, Guinée Forestière, decided to close the weekly markets held in six sub-prefectures bordering Sierra Leone and Liberia.[1] Although justified in the context of the epidemic, these measures have had a considerable impact on the right to food, with quarantined persons particularly badly affected as they do not receive adequate food aid from the authorities. The weekly market closures had been lifted at the time of finalizing this report.

14. According to a statement issued on 11 November 2014 by the United Nations Special Rapporteur on the right to food, more than a million people in the countries hit hardest by the Ebola crisis were facing the prospect of starvation because of the toll the epidemic had taken on food production.[2]

4. Right to work

15. The right to work is guaranteed under article 23 of the Universal Declaration of Human Rights, article 6 of the International Covenant on Economic, Social and Cultural Rights and article 20 of the Guinean Constitution.

16. At the same time as the new civilian authorities came into power, major mining group investments were being withdrawn or put on hold as a result of the Ebola crisis. Thousands of workers lost their jobs, particularly in the town of Fria where the closure of the aluminium smelter has pushed hundreds of employees into poverty and insecurity.

17. Following the Ebola outbreak, numerous multinational organizations evacuated their employees and wound down their business activities in the country. For example, 400 of the 500 Rio Tinto personnel based in Beyla have been transferred to other areas of the country or abroad; the Societé des mines de fer de Guinée (SMFG) evacuated all of its international employees and placed at least 133 of its Guinea nationals on leave. At the time of drafting this report, business activities on the whole remained greatly reduced.

18. The Ebola outbreak has had a significant effect on women's right to work, with those in the agricultural sector particularly badly affected as a result of the disruption to production structures as well as the market and border closures. In this regard, the Committee on the Elimination of Discrimination against Women recommended that Guinea adopt specific measures to promote alternative income-generating opportunities for women active in the agricultural sector and to ensure food security (CEDAW/C/GIN/CO/7-8, para. 45).

B. Civil and political rights

1. Right to life

19. In the previous report (A/HRC/25/44 and Corr.1, para. 57), The United Nations High Commissioner for Human Rights recommended that the Government should continue to reform the security sector and strengthen the resources of the security forces in order to ensure greater respect for the international principles applicable to the maintenance and restoration of law and order. The High Commissioner also recommended that the

[1] This Declaration was made by the President of the Republic of Guinea on 13 August 2014.

[2] Office of the United Nations High Commissioner for Human Rights, press release dated 11 November 2014.
www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15276&LangID=E.

authorities ensure that the security forces were trained in human rights and international humanitarian law so as to prevent violations of the right to life, especially during operations relating to demonstrations.

20. The right to life is one of the fundamental and inalienable rights of all individuals. It is protected under article 3 of the Universal Declaration of Human Rights, article 6 of the International Covenant on Civil and Political Rights and article 6 of the Guinean Constitution.

21. Violations of the right to life involving security forces were documented by the OHCHR country office in Guinea during 2014. In February 2014, a student suspected of trafficking and using of cannabis was arrested in Fria, a town 160 kilometres north of Conakry, by officers of the communal police force on the orders of two gendarmes. When he resisted arrest, he was beaten and dragged along the ground for several metres. As a result of this ill-treatment, he died shortly after arriving at the gendarmerie.

22. In February 2014, in response to the young man's death, young people from Fria vandalized and set fire to the local gendarmerie and town hall and broke down the prison gates, allowing the prisoners to escape.

23. The regional and prefectural authorities deployed security forces at the scene. A commission of inquiry comprising a justice of the peace, the gendarmerie commander and the central police commissioner of Fria was established on 1 March 2014 to determine responsibility for the young man's death. The commission questioned 19 people, 8 of whom were municipal police officers and 11 young people suspected of organizing and carrying out the burning and looting of public property. However, the gendarmerie captain, who was identified by the victim's family and by witnesses as the main person behind the young student's arrest, never responded to the many court summonses issued to him. His superiors opposed his appearance in court and assigned him to a different town.

24. On 16 September 2014, a delegation comprising the governor of the Nzérékoré administrative region, the prefect, the director of the regional hospital, the Nzérékoré regional director of health, the Womey sub-prefect, religious leaders and journalists set out for Womey, a village 50 km from Nzérékoré, to raise awareness among the local population about the Ebola virus. The group was attacked by some local people, and eight of its members were killed. According to reports, the victims' bodies were thrown into the septic tank at the local primary school. After this incident, defence and security forces were deployed to secure the scene and to arrest suspects. Fourteen people were arrested and placed in pretrial detention at the Nzérékoré central prison. Non-governmental organizations reported looting by the security forces responsible for securing the village. The OHCHR office in Guinea met with the Minister of Justice to request an investigation to shed light on the murder of the delegation members and the allegations of looting.

25. In relation to the murders, 53 persons were arrested and the case was referred to the Court of Appeal. The village was occupied by the defence and security forces for two months, during which the inhabitants of Womey reportedly fled to the bush for fear of reprisals. Despite appeals from civil society and the intervention of the Minister of Human Rights and Public Liberties, the soldiers continued to occupy Womey, preventing the villagers from returning to their homes. The army withdrew at the end of November 2014 after a hunger strike organized by opposition leaders and members of civil society. The OHCHR office in Guinea later received reports that six women had been raped by the defence and security forces. The office staff met with these women and with the Nzérékoré judicial authorities to request an investigation to determine who was responsible.

2. Right to liberty and security

26. The right to liberty and security is enshrined in article 3 of the Universal Declaration of Human Rights and guaranteed under article 9 of the International Covenant on Civil and Political Rights and article 9 of the Guinean Constitution. It affords individuals an essential guarantee of freedom from arbitrary detention by ensuring that they will not be deprived of their liberty except on grounds specified by law and in accordance with the relevant established procedures.

27. In 2014, the OHCHR office in Guinea visited 107 places of detention and observed numerous cases of illegal arrest and arbitrary detention, both in gendarmeries and police stations and in prisons run by regional authorities.

28. According to the findings of OHCHR, numerous illegal arrests are made during demonstrations and are followed by arbitrary detention. In February 2014, during the above-mentioned events in Fria, the police arrested young men at random, either on the street or at their homes, and sometimes late at night.

29. In addition, OHCHR noted cases in which persons were arrested for acts committed by their family members. In May 2014, a woman was prosecuted for the offence of concealment, which had been committed by her son, who was wanted by the courts. She was remanded in custody in Nzérékoré central prison, in violation of article 55, paragraph 2, of the Guinean Criminal Code, which provides that an offender's spouse, parents or relatives up to the fourth degree of affinity may not be prosecuted for harbouring a criminal. OHCHR also found that persons who could not honour their civil commitments, such as the payment of debts, were arrested and detained at the Télimélé central police station and by the No. 3 mobile gendarmerie squad in Matam, Conakry. In all these cases, intervention by OHCHR resulted in the detainees' release.

30. Violations of the right to liberty and security particularly affect persons in pretrial detention on felony charges. Under Guinean law, the Assize Court should convene regularly every four months. In addition, the Code of Criminal Procedure establishes a maximum duration for pretrial detention of 24 months for the most serious crimes. However, a person awaiting trial on charges of rape has been held in Kindia central prison for the past nine years. More than 20 other persons detained on felony charges have been in pretrial detention for periods of more than 2 to 6 years. Since August 2011, five officers of the Guinean military, who were arrested in connection with the attack on the President's residence on 19 July 2011, have been held in Conakry central prison without trial or renewal of the detention order against them. They were charged with crimes against State security, murder and attempted murder by the indictment division of the Conakry court, and their case was transferred to a military court that has yet to be established, before which they are to stand trial for desertion and failure to obey orders, which carry maximum penalties of 2 and 6 months' imprisonment respectively under the Criminal Code.

31. In addition, persons in pretrial detention for misdemeanours, for which the maximum duration is 4 months under the Criminal Code, are being held in various prisons, particularly in Conakry, for longer periods, usually without the renewal of the detention order by a judge.

32. Faster processing of the case files of suspects held in police custody and persons in pretrial detention, as well as the use of alternative measures to detention, would help resolve the problem of prison overcrowding and to improve prison conditions.

33. Between January 2012 and June 2014, staff of the OHCHR office in Guinea visited 30 prisons in all eight administrative regions of the country, where a total of 3,110 persons

are being held. These regular visits have made it possible to conduct a thorough review[3] of the operation of the criminal justice system, including the criminal police, the public prosecution service, judges and the prison system. Members of the police force and the judiciary work under extremely poor conditions, due to a lack or complete absence of infrastructure, trained personnel and adequate logistical resources. Public documents and infrastructure were either completely destroyed or severely damaged by angry citizens during the labour strikes that took place in 2007 in 30 out of 33 prefectures in the country.

34. The OHCHR office in Guinea found that prisons were dilapidated and unsanitary and that there was a lack of privacy due to overcrowding. International standards on detention, particularly the Standard Minimum Rules for the Treatment of Prisoners,[4] are very poorly respected. In some prisons, such as those in Boffa and Boké, the latrines are located inside small and overcrowded cells. As for the right to health, under an agreement signed in 2004 between the Ministry of Health and the Ministry of Justice, each prison should have a health-care worker assigned to it. The implementation of this agreement, has however, had very little impact and does not permit professional consultations or the dispensing of medicines to detainees, who must pay for their own medication.

3. Respect for physical integrity

35. Respect for a person's physical and moral integrity is an inalienable right and must not be restricted under any circumstances. Torture is formally prohibited under article 5 of the Universal Declaration of Human Rights, article 7 of the International Covenant on Civil and Political Rights and article 6 of the Guinean Constitution.

36. Torture and ill-treatment have long been commonplace in Guinea, particularly in places of detention, where torture was the usual means of obtaining confessions and information. The Criminal Code neither criminalizes nor defines torture. The Government should intensify its efforts, in particular by speeding up the current legislative reform to incorporate the Convention against Torture into Guinean positive law and by ratifying the Optional Protocol to the Convention, so as to enable the Subcommittee on Prevention of Torture to conduct unannounced visits. The Committee against Torture, in its concluding observations on the initial report of Guinea, adopted on 20 May 2014 (CAT/C/GIN/CO/1), expressed concern about the absence of legislation on torture, and stressed that this could lead to impunity for perpetrators of torture.

4. Freedom of movement

37. The freedom to move about freely, to leave any country, including one's own, and to return to one's own country, is a fundamental freedom guaranteed under article 13 of the Universal Declaration of Human Rights and article 12 of the International Covenant on Civil and Political Rights. Article 10, paragraph 4, of the Guinean Constitution provides that: "All citizens have the right to establish residence and travel throughout the territory of the Republic, and to enter and leave it freely."

38. On 13 August 2014, the President declared a state of health emergency and announced restrictions on gatherings and on the freedom of movement, including in the areas most affected in Guinée Forestière along the borders with Liberia and Sierra Leone. The decree established a cordon sanitaire to be manned by health workers and security and

[3] Report on conditions of detention in Guinea, issued in October 2014 by the OHCHR office in Guinea, available at www.ohchr.org/Documents/Countries/GN/ReportofGuinea_October2014.pdf.

[4] Adopted by the first United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Geneva in 1955 and approved by the Economic and Social Council in its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977.

defence forces at all points of entry into Guinea. The movement of persons is restricted and is subject to health monitoring measures at the various points of entry at land borders, seaports and airports. All health workers and security and defence forces have been mobilized to combat the disease. A temperature-monitoring system has been set up at Conakry airport, and anyone with an abnormally high body temperature is prohibited from travelling.

39. These restrictions on freedom of movement, while justified, limit the exercise of certain rights, as described above. They may well limit people's participation in the 2015 presidential elections.

5. Administration of justice

40. The Government has made commitments to improve the administration of justice and to improve conditions of detention. With support from national and international partners, including OHCHR, reform of the main pieces of criminal legislation and of legislation on the organization of the judicial system has been initiated. The Criminal Code, the Code of Criminal Procedure and the Military Justice Code are all being reviewed with the aim of bringing them into line with the State's commitments under the international and regional human rights instruments to which it is a party.

41. The Supreme Council of Justice, which is responsible for, inter alia, safeguarding judges' careers, was established in March 2014, and the President of the Republic enacted the Act on the Special Status of Judges in June of that year. In July 2014, the Head of State also approved a document on judicial reform prepared by the National Steering Committee for Judicial Reform.

42. Two training workshops were organized by OHCHR in Kindia and Labé from 22 to 29 October 2014, at which 107 judges and judicial officials (criminal police officers, response unit officers, lawyers, prison staff and bailiffs) in Basse Guinée and Moyenne Guinée were informed about their roles and responsibilities for promoting and protecting human rights. These sessions provided an opportunity for participants to reflect on the failures and shortcomings of the judicial system and to consider appropriate solutions for strengthening the rule of law.

43. However, the absence or lack of adequate infrastructure, the lack of trained and specialized staff and the insufficient budget allocated to the Ministry of Justice continue to have a major effect on the administration of justice. In addition to these factors, which are attributable to the State, defendants regularly report corruption among some judges. Many detainees interviewed by the staff of the OHCHR office in Guinea claimed that they were in prison because they were unable to pay the sums of money demanded by criminal police officers or judges for their release.

6. Combating impunity

44. In the previous report, the High Commissioner for Human Rights recommended that the Government should strengthen the fight against impunity, in particular by prosecuting the alleged perpetrators of the human rights violations committed on 28 September 2009 (A/HRC/25/44 and Corr.1, para. 57 (a)). Likewise, on the eve of the fifth anniversary of the 28 September massacres in Conakry, the High Commissioner urged the Guinean authorities to take immediate and concrete steps to move forward the investigation and to prosecute those responsible for the human rights violations, including the acts of murder, rape and

enforced disappearance committed by security forces against peaceful demonstrators.[5] In reality, very little is being done to combat impunity.

45. In particular, many human rights violations involving gendarmerie and army officers go unpunished. For example, proceedings against the gendarmes involved in cases of torture and ill-treatment documented by OHCHR since 2012 are still being blocked, because the gendarmerie commanders concerned have failed to respond to all court summonses, claiming that they have not received authorization from their superiors.

46. Marginal progress has been made regarding the events of 28 September 2009, with new charges brought and hearings held. Over the course of 2014, about 400 victims were heard by the investigating judges handling the case. In July 2014, Captain Moussa Dadis Camara, head of the military junta at the time of the events, was heard as a witness by a judge from Burkina Faso whose judicial assistance had been requested by the Guinean judiciary. In September 2014, the Minister of Sports at the time of the events was also heard as a witness.

47. However, more than five years after the events, victims and their dependents are still waiting for the authorities to take decisive action, for example by placing the defence and security forces officials accused in the case on inactive duty. Impunity also prevails with regard to the events in Zogota in August 2012, the communal violence that broke out from 15 to 18 July 2013 and the attacks in Womey on 16 September 2014.

7. Violence against women and girls

48. In the previous report, the High Commissioner for Human Rights recommended that the Government should strengthen the fight against all forms of discrimination, especially sexual violence against women and girls, with particular emphasis on combating sexual violence and female genital mutilation (A/HRC/25/44 and Corr.1, para. 57 (d)).

49. During the reporting period, the Government has made considerable efforts to combat discrimination and violence against women. In October 2014, the Committee on the Elimination of Discrimination against Women noted that significant progress had been made, in particular by the adoption of laws, policies and action plans to combat discrimination and violence against women. The Committee expressed concern, however, over the persistence of stereotypes and harmful practices affecting women, such as forced marriage, domestic violence and female genital mutilation, including female circumcision.

50. Guinea should intensify its efforts to combat such practices, especially female circumcision, to which 97 per cent of women and girls in the country are subjected. A positive first step, which has set a precedent, is the conviction by the Conakry Third Court of First Instance of a female circumciser, who was a repeat offender, to a suspended sentence of 2 years' imprisonment and the payment of 1 million Guinean francs.[6]

51. In addition, impunity still persists in cases of gender-based violence. Indeed, the OHCHR office in Guinea has noted that judicial personnel show a generally tolerant attitude towards sexual offences and sexual violence once proceedings reach the investigation phase. For example, two cases of gang rape were settled amicably in Nzérékoré prefecture under pressure from the local community; the judiciary made no attempt to pursue legal proceedings against the suspects. In another case of rape committed in the village of Nianpara, the suspect was placed on remand, then under judicial supervision, before being returned to the supervision of the investigating judge, then

[5] OHCHR, press release issued on 26 September 2014, available on the OHCHR website at www.ohchr.org/EN/countries/AfricaRegion/Pages/GNIndex.aspx.

[6] Judgement issued by the Mafanco Court of First Instance in Matam, Conakry on 17 July 2014.

transferred to Nzérékoré central prison before being released in confused circumstances. In Dubréka, 55 kilometres from Conakry, a member of the defence forces charged with raping a minor was released and placed under judicial supervision by the investigating judge.

52. There have, however, been some signs of improvement. In August 2014, a soldier of the Presidential Guard was detained by the gendarmerie and brought to court after a medical certificate had been issued confirming the rape of two girls under 10 years of age. He was placed in detention at the Conakry central prison pending trial.

IV. Cooperation to promote and protect human rights

A. Strengthening of cooperation with the international human rights protection mechanisms

1. Creation of an inter-ministerial human rights committee

53. The delays in the submission by Guinea of its initial and periodic reports to the United Nations treaty bodies were attributable to the indifference of the authorities, for whom human rights issues were not a priority. Thanks to the political will of the current authorities and the support provided by the Office of the High Commissioner for Human Rights, an inter-ministerial human rights committee (responsible for drafting reports for submission to the treaty bodies) was created by a decision of the Prime Minister on 21 July 2014.

2. Cooperation with the treaty bodies

54. The OHCHR office in Guinea helped the Government to submit its initial report to the Committee against Torture, by providing technical support for analysing the data collected on the basis of the relevant international standards (see CAT/C/GIN/1).

55. The OHCHR office in Guinea also provided support to the National Directorate for Children of the Ministry of Social Action, in connection with efforts to finalize the two initial reports on the implementation of the first two Optional Protocols to the Convention on the Rights of the Child: the initial report under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the initial report under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

3. Universal periodic review

56. In January 2015, the human rights situation in Guinea was considered by the Human Rights Council as a part of the universal periodic review. In 2010, during the first review of Guinea, the Government accepted 105 of the 114 recommendations formulated.

57. From 15 to 19 September 2014, the Office of the High Commissioner for Human Rights, in conjunction with the Ministry of Human Rights and Civil Liberties, held a capacity-building workshop for the members of the Inter-Ministerial Committee and representatives of civil society. The workshop addressed the preparation and submission of initial and periodic reports to the various treaty bodies and for the universal periodic review, and the implementation of the recommendations and observations within the participatory process.

B. Integration of human rights into security sector reform

1. Implementation of new Government policies

58. In September 2014, the Government adopted a national priority action strategy as a part of judicial reforms. The overall aim of the national priority action strategy is to strengthen the rule of law and improve governance in the field of justice. Moreover, the strategy, which relies on the consolidation of the rule of law and the reform of the prison system, should eventually ensure the independence of the judiciary and facilitate access to justice. The Office of the High Commissioner for Human Rights, together with other agencies of the United Nations system operating in Guinea, provided technical support for the preparation of that strategy.

59. On 30 June 2014, the President of the Republic of Guinea set up the Provisional National Reconciliation Commission, co-chaired by the Head Imam of Conakry, El-hadj Mamadou Saliou Camara, and the Archbishop of Conakry, Monsignor Vincent Coulibaly. The Commission's task is to discuss and draw up a national consultation programme to gauge public opinion on a national reconciliation process. The Office of the High Commissioner for Human Rights provided technical support to recruit 25 members of the staff of the Provisional Commission, including 8 project coordinators, 8 assistants and 8 community outreach workers.

2. Legislative reforms

60. Other priorities of the Government include the ongoing preparation of a bill on the organization of the judicial system and a new policy on the organization of the prison system. The Office of the High Commissioner for Human Rights helped to raise awareness among the members of the National Steering Committee for Judicial Reform about the integration of human rights into that important process.

61. The process of reforming the security sector, which was initiated in 2010 with the support of the international community, intensified during 2014, with special emphasis on the monitoring, by democratic, civilian actors, of the defence and security forces. A code of conduct for the army, drawn up on the basis of respect for human rights, was prepared and disseminated across the country, with the support of the Office of the High Commissioner for Human Rights. Thanks to the support of the Office of the High Commissioner and of the United Nations Development Programme, information on the Military Justice Code was also disseminated among the various units of the armed forces based in the country's four military regions. This outreach activity enabled the members of the defence and security forces better to understand the contents and scope of the various provisions of the Code and the process whereby military personnel guilty of human rights violations are punished.

62. As a part of the implementation of a project to strengthen community policing, supported by the Peacebuilding Fund, the Office of the High Commissioner for Human Rights is involved in the integration of human rights modules into the basic training curricula of the defence and security forces, including in police and gendarmerie training facilities and military academies and training centres.

C. Support for civil society bodies

63. In 2014, the Office of the High Commissioner for Human Rights organized seven coordination and cooperation meetings with civil society bodies on the human rights situation in Guinea. The meetings made it possible to strengthen the capacity of NGOs to perform their roles and responsibilities for the promotion and protection of human rights, advocacy to ensure that human rights issues are taken into account when working to

prevent and combat Ebola virus and the submission of periodic reports to the treaty bodies and for the universal periodic review.

64. The OHCHR office in Guinea has provided support to and helped build the technical capacities of associations of victims of Camp Boiro (under the First Republic of Guinea), the large-scale strikes of 2007, and the massacres of 28 September 2009. In 2014, the OHCHR office in Guinea held five practical workshops on the inclusion of a gender perspective in the transitional justice process.

65. On 26 June 2014, the Office of the High Commissioner for Human Rights, in conjunction with the Ministries of Human Rights and Justice and civil society bodies, organized activities in Conakry to mark the United Nations International Day in Support of Victims of Torture. More than 150 persons took part in discussions on the role of the State and civil society in the implementation of the recommendations of the Committee against Torture, the incorporation into domestic legislation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, efforts to make the justice system more accessible and efforts to combat impunity and gender-based violence.

V. Recommendations

A. Recommendations addressed to the Government

66. **The High Commissioner for Human Rights recommends that the Government of Guinea:**

(a) Continue efforts to combat impunity, particularly through effective prosecution of alleged perpetrators of human rights violations involved in the events of 28 September 2009, the incidents that took place in Zogota in August 2012, the intercommunal violence of 15 to 18 July 2013, the attacks in Womey on 16 September 2014 and the numerous cases of torture pending before the courts;

(b) Ensure that any measures taken as a part of the effort to control the Ebola virus are based on respect for human rights;

(c) Strengthen the resources of the security forces in order to enable them to perform their public security role in accordance with the relevant applicable international principles;

(d) Take the necessary measures to ensure security and transparency during the Presidential elections, while respecting electoral rights and freedoms, including the freedom of movement, the freedom of expression and the freedom to protest peacefully;

(e) Strengthen efforts to combat all forms of discrimination, particularly gender-based stereotypes, and safeguard the right of victims to prosecute perpetrators of discrimination through the courts;

(f) Strengthen cooperation with the treaty bodies and the universal periodic review mechanism, especially through the implementation of their recommendations.

B. Recommendations addressed to the international community

67. **The High Commissioner for Human Rights recommends that the international community:**

(a) Continue to provide the Government of Guinea with the assistance necessary to enable it to combat the spread of the Ebola virus;

(b) Continue to support the reform of the security and justice sectors;

(c) Provide the Government of Guinea with the assistance necessary in order to reduce the level of poverty and help improve the realization of social and economic rights.